

<b>Interview Summary</b>	Application No.	Applicant(s)	
	10/602,796	HORIAN, JAMES G.	
	Examiner	Art Unit	
	Jeffrey A. Shapiro	3653	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Jeffrey A. Shapiro. (3) \_\_\_\_\_  
 (2) Josue A. Villata. (4) \_\_\_\_\_

Date of Interview: 06 December 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 6 and 19.

Identification of prior art discussed: Aschenbeck, Wenner, Pepiciello, and Dobbins et al.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed proposed amendments (see attached) to the independent claims. The examiner will search these claims and their new limitations when presented by Applicant in the next response.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

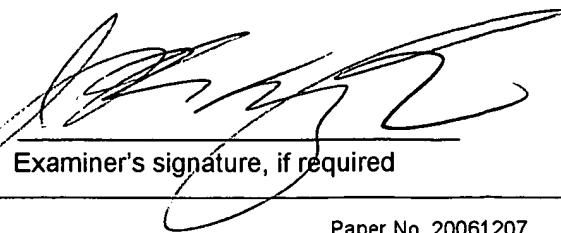
THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



PATRICK MACKEY  
 SUPERVISORY PATENT EXAMINER  
 TECHNOLOGY CENTER 3600

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required



## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

**Knobbe Martens Olson & Bear LLP**

Intellectual Property Law

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TO: Examiner Jeffery Shapiro  
FIRM: Patent and Trademark Office

FACSIMILE NO.: 571-273-6943  
OUR REF.: JHORIAN.001A  
YOUR REF.: U.S. App. No. 10/602,796  
FROM: Josué A. Villalta  
OPERATOR:  
DATE: December 6, 2006

NO. OF PAGES: 4 (incl. cover sheet)  
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**MESSAGE:**

SAMPLE CLAIM AMENDMENT FOR DISCUSSION DURING PHONE INTERVIEW OF DECEMBER 7, 2006.  
SAMPLE CLAIM AMENDMENTS ARE FOR DISCUSSION PURPOSES ONLY – DO NOT ENTER INTO FILE.

San Diego  
619-235-8550San Francisco  
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JHORIAN.001A (10/602,796) – Sample Amendment to Claims 6 and 19  
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6. (Currently amended) A coin mechanism for a vending machine requiring at least one coin before a selected product will be dispensed, comprising:

a support member having an inner surface and an outer surface;

a channel member movably connected to the support member, the channel member having a contoured channel formed thereon, the channel configured to define a coin slot when the channel member is in contact with the support member, the channel configured to receive and guide the at least one coin to a desired location, an actuator opening formed on the support and channel members at a location corresponding to the location of the at least one coin in the desired location, the channel member configured to normally be in contact with the support member and to displace relative to the support member when the coin mechanism is actuated;

a coin return actuator connected to the support member, the return actuator comprising at least one protrusion protruding through the support member, the protrusion configured to hold the at least one coin at least in part against a wall of the contoured channel when the channel member is in contact with the support member, the protrusion further configured to travel in a second actuator opening formed on the support member to release the at least one coin into a coin return receptacle upon actuation of the coin return actuator;

an actuator configured to be actuated by a user, comprising

a contact portion disposed frontward of the support member,

at least one support element movably disposed through the support and channel members, the at least one support element having a front portion disposed between the contact portion and the support member, and

an actuation member configured to protrude through the actuator opening in the support member and engage transmit an actuation force from a user onto the coin to press the at least one coin disposed in the desired location against the channel member upon actuation of the coin mechanism to pivotally displace the channel member relative to the support member; and

a product support member connected to the channel member, the product support member comprising an edge configured to releasably support the selected product

JHORIAN.001A (10/602,796) – Sample Amendment to Claims 6 and 19  
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disposed in a product receptacle, the edge configured to not support the selected product upon actuation of the coin mechanism, causing the selected product to be dispensed, the product support member further configured to releasably engage at least one product in the product receptacle disposed above the selected product following the dispensation of the selected product.

19. (Currently amended) A coin mechanism for a vending machine requiring at least one coin before a selected product will be dispensed, comprising:

a support member having an inner surface and an outer surface;

a channel member ~~rotatably~~ pivotally connected to the support member, the channel member having a contoured channel formed thereon, the channel configured to define a coin slot when the channel member is in contact with the support member, the coin slot configured to receive and guide the at least one coin to a desired location, an actuator opening formed on the support and channel members at a location corresponding to the location of the at least one coin in the desired location, the channel member configured to normally be in contact with the support member and to displace relative to the support member when the coin mechanism is actuated, releasing at least one coin disposed in the contoured channel into a coin bank;

a coin guide attached to the channel member and protruding over the contoured channel, wherein the coin guide is configured to prevent the at least one coin disposed in the contoured channel from being released to a coin return receptacle when the channel member is displaced relative to the support member during actuation of the coin mechanism;

a coin return actuator connected to the support member, the return actuator comprising at least one protrusion protruding through the support member, the protrusion configured to hold the at least one coin at least in part against a wall of the contoured channel of the channel member when the channel member is in contact with the support member, the at least one protrusion further configured to travel in a second actuator opening formed on the support member to release the at least one coin into the coin return receptacle upon actuation of the coin return actuator;

an actuator configured to be actuated by a user, comprising

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a contact portion disposed frontward of the support member,

at least one support element movably disposed through the support and channel members, the at least one support element having a front portion disposed between the contact portion and the support member,

an actuation member configured to protrude through the actuator opening in the support member and engage transmit an actuation force from a user onto the coin to press the at least one coin disposed in the desired location against the channel member upon actuation of the coin mechanism to pivotally displace the channel member relative to the support member, the actuation member further configured to protrude through the actuator opening formed on the channel member when the actuator is depressed by the user without the at least one coin disposed in the desired location, preventing the selected product from being dispensed,

a spring disposed between the channel member and a product receptacle, the spring configured to displace a flag member to engage at least one product disposed above the selected product through an opening in the product receptacle during actuation of the coin mechanism, and

a second spring disposed at the front portion of the at least one support element, the second spring configured to generate a return force on the contact portion when the actuator is actuated by the user; and

a product support member removably attached to the channel member, the product support member comprising an edge configured to releasably support the selected product disposed in the product receptacle, the product support member further defining an opening, the support member displaced upon actuation of the coin mechanism so that the edge disengages the selected product, allowing the selected product to be dispensed through the opening, the support member further configured to releasably support at least one product in the product receptacle disposed above the selected product upon dispensation of the selected product.

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